



1642

Patent Docket No. 47875 C

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Klagsbrun et al.

Application No.: 09/579,420

Filed: May 25, 2000

Group No.: 1642

Examiner: G. Nickol

For: PEPTIDE ANTAGONISTS OF VASCULAR ENDOTHELIAL GROWTH FACTOR

Assistant Commissioner for Patents  
Washington, D.C. 20231

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## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

1. Submission of Sequence Listing and Statement (2 pp.);
2. Sequence Listing (4 pp.) and diskette;
3. Transmittal of Substitute Sheets (2 pp.);
4. Substitute pages 33-36 of specification;
5. Copy of Notice to Comply; and
6. Return Receipt postcard.

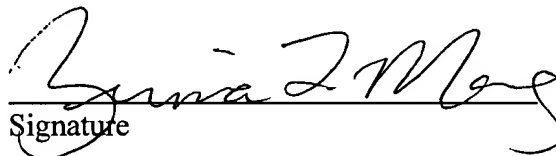
is on the date shown below being:

## MAILING

☒ deposited with the United States Postal Service and with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

## FACSIMILE

transmitted by facsimile to the Patent Trademark Office.

Date: August 15, 2001  
SignatureZinna L. Mang  
(type or print name of person certifying)



Application No: 09/579420

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

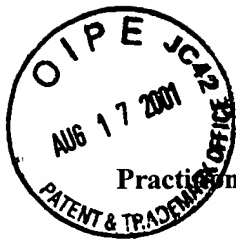
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Practitioner's Docket No. 1039-47875 C

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Klagsbrun et al.

Application No.: 09/579,420

Filed: May 25, 2000

Group No.: 1642

Examiner: G. Nickol

For: PEPTIDE ANTAGONISTS OF VASCULAR ENDOTHELIAL GROWTH FACTOR

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE**

**IDENTIFICATION OF PERSON MAKING STATEMENT**

2. I, David S. Resnick, state the following:

**ITEMS BEING SUBMITTED**

3. Submitted herewith is/are:

A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. §§ 1.821(e) and 1.824.

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AUG 21 2001  
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**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

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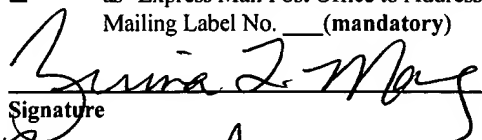
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**37 C.F.R. 1.8(a)**

**37 C.F.R. 1.10\***

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Address"  
Mailing Label No. \_\_\_\_ (mandatory)

  
Signature  
Zinnal Mang  
(type or print name of person certifying)

Date: 8/15/01

A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. § 1.821(g).

Because this submission is made in fulfilling the requirement under 37 C.F.R. § 1.821(g), a statement that the submission includes no new matter.

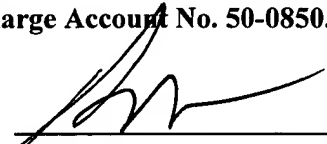
**STATEMENT THAT "SEQUENCE LISTING"  
AND COMPUTER READABLE COPY ARE THE SAME  
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

The "Sequence Listing" and computer readable copy are the same.

**If any additional extension and/or fee is required, charge Account No. 50-0850.**

  
\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

Reg. No. 34,235

David S. Resnick

Tel. No.: (617) 345-6057

NIXON PEABODY LLP  
101 Federal Street

Boston, MA 02110



Practitioner's Docket No. 47875 C

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**TRANSMITTAL OF SUBSTITUTE SPECIFICATION SHEETS (37 C.F.R. § 1.125)**

1. Enclosed are substitute specification sheets **33-36** for pages **33-36** of the originally filed specification in this application.

2.

☒ This substitute specification is submitted, in response to a requirement by the Examiner. Namely, filing of SEQUENCE LISTING.

**OR**

☐ This substitute specification is being voluntarily submitted, in order to facilitate the processing of the application.

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**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

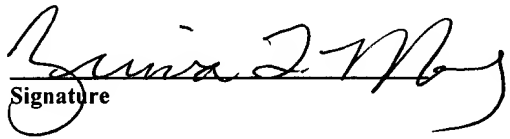
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Date:

8/15/01

**FACSIMILE**

☐ transmitted by facsimile to the Patent and Trademark Office.

  
Signature

Zinna L. Mang

(type or print name of person certifying)

(Transmittal of Substitute Specification page 1 of 2)

3. As required by 37 C.F.R. § 1.125, the undersigned states that the substitute specification transmitted herewith contains no new matter.

---

**SIGNATURE OF PRACTITIONER**

Reg. No. 34,235

David S. Resnick  
*(type or print name of practitioner)*

Tel. No. (617) 345-6057

Nixon Peabody LLP  
101 Federal Street  
P.O. Address

Customer No. 26248

Boston, Massachusetts 02110